PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of Burbank et al.	Examiner: Not Assigned
For: **TISSUE ACQUISITION SYSTEM AND METHOD OF USE**	Group Art Unit: Not Assigned
Serial No.: Not Assigned	Customer No.: 23422
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BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please preliminarily amend the above-referenced application as follows:

IN THE CLAIMS:

Please cancel claims 1-23 and 34.

Please add the following claims 35-43.

35. A tissue acquisition device useful in retrieving tissue samples from a patient, comprising:

an inner cannula having a proximal end, a distal end, a longitudinal axis extending between said proximal and distal ends, a tubular sidewall, a cut out in the sidewall and a main lumen extending within at least a portion of the inner cannula;

an outer cannula having a proximal end, a distal end, a longitudinal axis extending between said proximal and distal ends, a tubular sidewall, a cutout in the

tubular sidewall of the outer cannula and a main lumen extending within at least a portion of the outer cannula;

a passageway extending longitudinally along said device from said proximal end toward said distal end;

an electrically conducting cutting wire slidably and rotatably disposed in said passageway, having a proximal end and a distal end and having a cutting loop at a said distal end which extends out of said passageway and which is configured to rotate out of the inner cannula to a position exterior to the outer cannula, to move longitudinally in a direction generally parallel to the longitudinal axis exterior to the outer cannula and to rotate from a position exterior to the outer cannula into the inner cannula.

36. The tissue acquisition device of claim 35, wherein said electrically conducting cutting wire is configured to make electrical contact with a source of radio-frequency electrical energy.

37. The tissue acquisition device of claim 35, wherein said cutting loop is a RF energy cutting loop.

38. The tissue acquisition device of claim 35, wherein said cutting loop comprises a material selected from the group consisting of stainless steel, tungsten, platinum, and nickel-titanium alloy.

39. The tissue acquisition device of claim 35, further comprising an electrically conducting distal cutting wire disposed near the distal end of said device.

40. The tissue acquisition device of claim 39, wherein said electrically conducting distal cutting wire is configured to make electrical contact with a source of radio-frequency electrical energy.

41. The tissue acquisition device of claim 40, wherein said electrically conducting distal cutting wire comprises a material selected from the group consisting of stainless steel, tungsten, platinum, and nickel-titanium alloy.

42. The tissue acquisition device of claim 35, further comprising an end plug disposed on the distal end of said device.

43. The tissue acquisition device of claim 42, further comprising an electrically conducting distal cutting wire disposed distal to said end plug.